



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

LCC:ddj  
Docket No: 1964-00  
17 January 2001



This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 17 January 2001. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by CMC memorandum 1001/1 MMEA-6 of 19 April 2000, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion.

Additionally, the Board noted that you met Marine Corps (MC) height and weight standards on the date you reenlisted on 30 November 1995 and again on the date you were discharged. The Board also noted that you received nine evaluations during your enlistment and on seven of the reports you did not meet MC height and weight standards.

Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important

  
to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director

Enclosure



DEPARTMENT OF THE NAVY  
HEADQUARTERS UNITED STATES MARINE CORPS  
3280 RUSSELL ROAD  
QUANTICO, VIRGINIA 22134-5103

IN REPLY REFER TO:  
1001/1  
MMEA-6  
13 APR 2000

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF  
NAVAL RECORDS

- [REDACTED]
1. We have reviewed [REDACTED]'s request for additional separation pay and recommend it be denied.
  2. On 26 October 1999, [REDACTED] requested reenlistment. On 6 December 1999, we denied [REDACTED] further service. [REDACTED] was not eligible for further service due to service limitations. According to the Enlisted Career Force Control (ECFC) policy, sergeants who have twice failed selection to the next higher grade must leave active duty at the end of active service (EAS). Sergeant [REDACTED] failed selection to staff sergeant twice and was therefore denied further service.
  3. Additionally, [REDACTED] did not meet reenlistment prerequisites contained in MCO P1040.31H, Enlisted Career Planning and Retention Manual. Per paragraph 4103.1, [REDACTED] failed to "have demonstrate the high standards of leadership, professional competence, and personal behavior required to maintain the prestige and quality standards of the Marine Corps." [REDACTED] had <sup>three</sup> adverse fitness reports on current contact for failing to maintain weight standards. [REDACTED] was within height/weight/bodyfat standards at the time of his reenlistment request, but he had failed repeatedly to uphold these standards during his current contract. We authorized Sergeant [REDACTED] one half separation pay and assigned him a reenlistment eligibility (RE) code of RE-3C (substandard performance).
  4. Per Marine Corps Order P1900.16D, Marine Corps Separation and Retirement Manual, and SECNAVINST 1900.7G, Separation Pay for Involuntary Separation from Active Duty, a Marine must be fully qualified for reenlistment in order to receive full separation pay. In [REDACTED] case, he did not qualify for reenlistment because he consistently failed to maintain height/weight/bodyfat standards, and subsequently received adverse fitness reports.
  5. Point of contact is Staff Sergeant [REDACTED] DSN 278-9235.

[REDACTED SIGNATURE]

COLONEL, U.S. MARINE CORPS  
HEAD ENLISTED ASSIGNMENT BRANCH